

REMARKS

The Office Action of June 30, 2005 has been reviewed and the Examiner's comments carefully considered. The present Amendment amends claims 1, 25 and 26 in accordance with the originally-filed specification. In addition, claims 27-29 have been cancelled. Accordingly, claims 1-26 and 30-35 remain in this application, and claims 1, 25 and 26 are in independent form.

Claims 1-35 stand rejected. Specifically, claims 1-22 and 25-35 stand rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 6,219,439 to Burger. Claim 23 stands rejected under 35 U.S.C. § 103(a) as being obvious over the Burger patent. Further, claim 24 stands rejected under 35 U.S.C. § 103(a) as being obvious over the Burger patent in view of U.S. Patent No. 5,623,552 to Lane. In view of the foregoing amendments and the following remarks, Applicant respectfully requests reconsideration of these rejections.

Independent claim 1 of the present application, as amended, is directed to a system for uniquely identifying an entity. The system includes at least one portable wireless identification device having at least one controller mechanism for wireless communication, the device used to acquire, process and/or transmit data signals. The system includes a reader device having at least one controller mechanism for acquiring, processing and/or transmitting data signals, and a sensing mechanism in communication with the reader device controller mechanism, also for acquiring, processing and/or transmitting data transmitted from the wireless identification device controller mechanism. In addition, the system includes at least one portable wireless control device having at least one controller mechanism for wireless communication with the reader device controller mechanism. This wireless control device is configured to acquire, process and/or transmit data signals and, further, the wireless control device controller mechanism also serves additional beneficial functions. In particular, the wireless control device controller mechanism: (i) communicates with and configures the reader device controller

mechanism; (ii) communicates with and configures the wireless identification device controller mechanism via the reader device controller mechanism; and/or (iii) communicates with and configures a subsequent wireless identification device controller mechanism via the reader device controller mechanism.

Independent claim 25 of the present application, as amended, is also directed to a system for uniquely identifying an entity. The system includes the portable wireless identification device, reader device and portable wireless control device as discussed above in connection with independent claim 1. The wireless control device controller mechanism is configured to communicate with and configure the reader device controller mechanism, communicate with and configure the wireless identification device controller mechanism via the reader device controller mechanism, and/or communicate with and configure a subsequent wireless identification device controller mechanism via the reader device controller mechanism. The system also includes a scanner device in communication with the reader device controller mechanism for acquiring, processing and/or transmitting data signals representative of at least one unique characteristic of the entity. The data signals include control signals and an action sequence includes communicating with and configuring at least one of the reader device controller mechanism and the wireless identification device controller mechanism. The configuration of the wireless identification device controller mechanism includes: (i) storing the data representative of the unique characteristic of the entity on the wireless identification device controller mechanism and the reader device controller mechanism; and/or (ii) erasing at least a portion of the data representative of the unique characteristic of the entity on the wireless identification device controller mechanism and the reader device controller mechanism.

Independent claim 26 of the present application, as amended, is directed to a method for uniquely identifying an entity. This method includes the steps of: (a) providing at least one portable wireless identification device; (b) providing a reader device; (c) providing at

least one portable wireless control device; (d) providing a scanner device; (e) acquiring data signals representative of the unique characteristic of the entity by the scanning device; (f) communicating the data to the reader device; (g) controlling, by the wireless control device, at least one of the storage and the erasure of the data representative of the unique characteristic of the entity on the wireless identification device, via the reader device; and (h) one or more of: (i) configuring the reader device by the wireless control device; (ii) configuring the wireless identification device by the wireless control device via the reader device; and (iii) configuring a subsequent wireless identification device by the wireless control device via the reader device.

The Burger patent is directed to a biometric authentication system. As seen in Fig. 1 of the Burger patent, a reader 12 and a smart card 14 are used in the biometric authentication system illustrated generally in Fig. 2. The smart card 14 includes a chip 20, which may include chip memory 22 with portions used for system operation 24, user information 26, etc., and the user information 26 may include fingerprint memory 28 and identification data 30. Accordingly, as seen in Fig. 1, fingerprint data (biometric data) may be stored on the smart card or identification device in the chip memory, such as at memory location 28. Data from the reader 12 is transmitted to the gateway 46 and forwarded to a computer, such as a personal computer PC 48 operating within the system 40. Once data is received at the PC 48, system rules are checked, evaluated and an action is undertaken. There is no communication between the central processing unit (CPU) or any other authentication device in the system of the Burger patent, which prevents hacking or sniffing of the information being compared.

The Lane patent is directed to a self-authenticating identification card with fingerprint identification. It appears that the Examiner is using the Lane patent (specifically in connection with claim 24 of the present application), for the notion that the wireless identification device and the wireless control device, as well as their respective controller mechanisms, are integrated in a single portable medium.

Applicant respectfully asserts that there are many distinguishing characteristics between the novel systems and method of the present invention and the systems, methods and devices of the prior art. In general, the present invention is directed to a system and method for uniquely identifying an entity, such as a person or the like. The system includes multiple wireless identification devices 12 (each including a controller mechanism 14) for acquiring, processing and transmitting data signals. In addition, the identification device is portable, and is typically in the form of a card or similar portable medium, such as a Smart Card. In use, each user is issued an identification device 12, in the form of a card, which includes some unique or semi-unique data on the controller mechanism 14, which is used for authorization purposes.

The system 10 also includes a reader device 16 having a controller mechanism 18. The reader device 16 is used to acquire, process and/or transmit data signals that are provided from the wireless identification device controller mechanism 14. Once the data signals are obtained from the identification device 12, this data is communicated with and processed by the reader device controller mechanism 18.

The system 10 also includes one or more wireless control devices 22, which include a controller mechanism 24. The wireless control device is in wireless communication with the reader device controller mechanism 18 and used for acquiring, processing, storing and/or transmitting data signals between the various components and sub-components of the system 10. In addition, as with the identification device 12, the wireless control device 22 is in the form of a portable medium, such as a Smart Card or other portable structure.

Importantly, the wireless control device 22 serves very specific and beneficial functions. In particular, the wireless control device 22 can communicate with and configure the reader device controller mechanism 18, communicate with and configure the wireless identification device controller mechanism 14 (via the reader device controller mechanism 18)

and/or communicate with and configure subsequent wireless identification device controller mechanisms 14 via the reader device controller mechanism 18.

Accordingly, it is this portable and wireless control device 22 (and controller mechanism 24) that provides for wireless communication of specified data signals to the reader device controller mechanism 18. Dependent upon these data signals, the reader device 16 performs an action sequence based upon the content and/or commands in the data signals. For example, these data signals may be control signals, and the action sequence allows for the communication with and configuration of the reader device controller mechanism 18 and/or the wireless identification device controller mechanism 14. In this manner, the control device 22 is capable of configuring, manipulating or otherwise affecting the operation of not only the reader device 16, but also the identification devices 12.

It is this flexible configuration of the reader device 16 and/or the identification devices 12 that lend one unique and novel aspect to the system and method of the present invention. In particular, the control device 22 not only includes these unique features, but the control device 22 is a portable card that can be easily transported to various locations and various reader devices, which allows the controller or user of the control device 22 to engage in administration and control of the reader devices 16 and the identification devices 12 anywhere within the overall system. For example, a user would not be required to go to any central and non-portable control system, such as a personal computer, in order to configure and control any of multiple reader devices 16 or any of multiple identification devices 12. The controller or user of the control device 22 may transmit and cause to be stored on the reader device 16 or the identification device 12 a unique identification value representative of the identity of the wireless identification device 12 or its user. In addition, the control device 22 could erase this data or otherwise manipulate the data, such as take an old identification device (in the form of a card),

erase the data from an old user and apply new data for a new user, all using the simple and portable control device 22 in the form of a card.

With respect to the Examiner's rejection of independent claims 1, 25 and 26, each of these independent claims have been amended to further clarify some novel aspects of the present invention. In particular, each of the independent claims of the present application have been amended to specifically indicate that the wireless identification devices and the wireless control devices are portable, a feature that has been discussed above in detail. In addition, using these portable control devices, the control device controller mechanism can communicate with and configure the reader device controller mechanism, communicate with and configure the identification device controller mechanism via the reader device controller mechanism, and/or communicate with and configure a subsequent identification device controller mechanism via the reader device controller mechanism. Such control represents one of the novel and non-obvious aspects and unique characteristics/functionality of the system and method according to the present invention.

With respect to the Examiner's rejections of the independent claims, the Examiner indicates that the equivalent structure of the wireless control device 22 of the present invention is personal computer 48, discussed throughout the specification of the Burger patent. First, and importantly, the Burger patent does not teach a system that uses this personal computer 48 as a device capable of configuring the reader device, as specifically recited in each of the independent claims of the present application. Instead, the PC 48 is used to determine if the user is permitted to enter through the access door and gain entry to a restricted area. The system of the Burger patent specifically engages in all authentications at the reader 12, not at the gateway 46 or the PC 48. In short, the PC 48 simply acts as a central database, and does not engage in any control of other devices. Accordingly, the PC 48 is much more likened to the structured integrated controller mechanism 32 of the present application. According to the present invention, the

controller mechanism 32 is in communication with a lock mechanism 34, and a lock mechanism 34 is in communication with an access point 30, which is typically a door or other restricted access point.

With respect to the Burger patent, using the PC 48 and a gateway 46, hundreds of doors in the building are connected to the system 40, and the gateway 46 is used to monitor the connections and pass the data through the PC 48 once data is received from the doors. The gateway 46 automatically transmits the door 44/reader 12 request through the correct port and transmission line 60. This data is used to grant or deny the user access to the door 44.

Accordingly, the system 40 of the Burger patent does not serve to configure the reader device, or the identification devices, as specifically set forth in the independent claims of the present invention. Still further, even if the PC 48 could control the reader 12, the present invention is specifically directed to a wireless control device 22 that is portable, such as a Smart Card, a portable device, or other similar portable medium. As discussed above in detail, this portable functionality of the control device 22 allows for vastly more configuration possibilities and convenience to the user in communicating with and configuring multiple reader devices and identification devices (or identification cards).

For the foregoing reasons, independent claims 1, 25 and 26 are not anticipated by or rendered obvious over the Burger patent, the Lane patent or any of the prior art of record, whether used alone or in combination. There is no hint or suggestion in any of the references cited by the Examiner to combine these references in a manner that would render the invention, as claimed, obvious. Reconsideration of the rejection of independent claims 1, 25 and 26 is respectfully requested.

Claims 2-24 depend either directly or indirectly from and add further limitations to independent claim 1 and are believed to be allowable for the reasons discussed hereinabove in connection with independent claim 1. Further, claims 30-35 depend either directly or indirectly

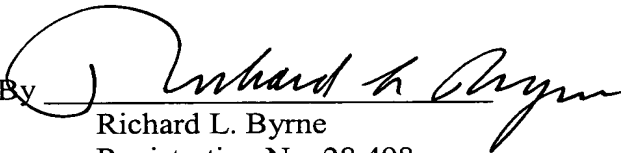
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from and add further limitations to independent claim 26 and are believed to be allowable for the reasons discussed hereinabove in connection with independent claim 26. Therefore, for all the above reasons, reconsideration of the rejection of claims 2-24 and 30-35 is respectfully requested.

For all the foregoing reasons, Applicant believes that claims 1-26 and 30-35, as amended, are patentable over the cited prior art and in condition for allowance. Reconsideration of the rejections and allowance of all pending claims 1-26 and 30-35 are respectfully requested.

Respectfully submitted,

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